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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/716,564

11/20/2003

Steve Anspach

ANSPACH

7050

7590 06/27/2007  
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EXAMINER

LEMMA, SAMSON B

ART UNIT

PAPER NUMBER

2132

MAIL DATE

DELIVERY MODE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/716,564	Applicant(s) ANSPACH, STEVE	
	Examiner Samson B. Lemma	Art Unit 2132	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 November 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>1-3</u> . | 6) <input type="checkbox"/> Other: _____  |

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### ***DETAILED ACTION***

1. This is in reply to application filed on November 20, 2003. Claims 1-14 have been examined.

### ***Priority***

2. This application claims priority of a provisional application, application No. 60/502,660 filed on September 15, 2003. Therefore, the effective filing date for the subject matter defined in the pending claims of this application is **09/15/2003**.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1-14** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Turtiainen et al** (Hereinafter referred as **Turt**) (U.S. Publication No. 2002/0059516 A1, Publication date: May 16, 2002) in view of article written with the title, "The complete PC solution for the KIV-7" (Hereinafter referred as "complete pc solution") (Copyright 2002) (Submitted with IDS)

5. **As per independent claims 1 and 8 Turt discloses a method of encrypting and transmitting voice and data together in a secure communication system** [Figure 5, see "Streamed VoIP data encrypted at sender using encryption data"], said method comprising:

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- **Packetizing voice data into a voice-over-IP ( VoIP) data stream;** [See for instance paragraph 0009] *(The Internet is an open network in as much as unauthorised third parties can potentially intercept data and attempt to fraudulently transmit data. This is one of the main reasons for the creation of IPSec. Of course it is desirable to secure VoIP traffic and proposals have been made to allow the integration of VoIP with IPSec, such that VoIP traffic can be secured using the ESP protocol (which includes provision for data encryption). This solution is not without its problems however. **The nature of speech and the real time transmission of speech requires the sending of relatively small data packets,** containing in the region of 30-50 bits, with a high frequency. A typical ESP header, plus the ESP trailer (and authentication data) contains up to 160 bits, **resulting in a doubling or trebling of the total packet size.**)*
- **Encrypting said VoIP data stream through encryption unit into an encrypted data stream;** [See at least, Figure 5, see "Streamed VoIP data encrypted at sender using encryption data"] **and**
- **Encapsulating said encrypted data stream in IP packets for transmission** [See at least, Figure 5, see "Sender passes encrypted data to TCP/IP layer for segmentation and **encapsulation**" and see also on the same figure 5 how after encryption/ encapsulation the "data is sent/transmitted to receiver of streamed data"]

**Turt** does not explicitly disclose said encrypting data using a Type 1 encryption unit.

However, in the same field of endeavor "complete pc solution", discloses said encrypting data/videoconferencing /VOIP using a Type 1 encryption unit, wherein said Type 1 encryption unit comprises: a KIV type encryption unit. [See page 1]

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It would have been obvious to one having ordinary skill in the art, at the time the invention was made, to combine the features of using Type 1/KIV-7 encryption unit as per teachings of "complete pc solution" into the method as taught by Turt in order to make easy and secure dial and answer call with a KIV-7 for PC to PC based videoconferencing. [See "complete pc solution" page 2 last Paragraph]

6. As per claims 2 and 9 the combination of Turt and complete pc solution discloses a method as applied above. Furthermore complete pc solution discloses the method further comprising: routing said VoIP data stream with packets from other IP data streams; wherein voice and data/videoconferencing are encrypted by a single Type 1 encryption unit. [See KIV-7 unit which is communicating with laptop on the figure shown on page 2]

7. As per claims 3 and 10 the combination of Turt and complete pc solution discloses a method as applied above. Furthermore complete pc solution discloses the method wherein: said routing is performed by a voice-enabled router. [See on page 2, on the figure, "Router" and on page 1, third paragraph, "it can connect to any remote device including routers..."]

8. As per independent claims 4-7 and 11-14 the combination of Turt and complete pc solution discloses a method as applied above. Furthermore complete pc solution discloses the method wherein: said Type 1 encryption unit is a KIV-type encryption unit. [See page 1 and the figures in page 2]

### ***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. (See PTO-Form 892).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samson B Lemma whose telephone number is 571-272-3806. The examiner can normally be reached on Monday-Friday (8:00 am---4: 30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BARRON JR GILBERTO can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**SAMSON LEMMA**

**S.L.  
06/10/2007**

  
**KAMBIZ ZAND  
SUPERVISORY PATENT EXAMINER**